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Compilation on Monaco

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. Monaco was invited by several treaty bodies to become a party to the International Convention for the Protection of All Persons from Enforced Disappearance;[3] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;[4] the Convention relating to the Status of Stateless Persons;[5] the Convention on the Reduction of Statelessness;[6] the Optional Protocol to the International Covenant on Civil and Political Rights;[7] the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;[8] and the Rome Statute of the International Criminal Court.[9]

3. The Committee on the Elimination of Discrimination against Women recalled that it considered reservations to article 16 to be incompatible with the object and purpose of the Convention and indicated that it also considered reservations to article 7 to be in contravention of the Convention. The Committee recommended that Monaco review its reservations to the Convention with a view to their withdrawal.[10] The Committee on the Rights of the Child and the Human Rights Committee also requested that Monaco review its declarations and reservations to, respectively, the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights.[11] The Committee on Economic, Social and Cultural Rights reiterated its recommendation that Monaco withdraw its reservations and interpretative declarations to the International Covenant on Economic, Social and Cultural Rights.[12]

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4. The Committee on the Rights of the Child urged Monaco to fulfil its reporting obligations under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.[13]

5. Monaco made annual financial contributions to the Office of the United Nations High Commissioner for Human Rights (OHCHR) during the period under review.[14]

6. In 2017, Monaco submitted its midterm report regarding the implementation of the recommendations made during the second cycle of the universal periodic review in 2013.[15]

III. National human rights framework[16]

7. The Human Rights Committee encouraged Monaco to expand the powers of the National Council in order to align the Monegasque legal system with the International Covenant on Civil and Political Rights.[17]

8. The Human Rights Committee took note of Sovereign Order No. 4.524 of 2013 on the establishment of the Office of the High Commissioner for the Protection of Rights, Liberties and for Mediation. It noted, however, that the Office had not yet been accredited by the International Coordinating Committee of National Human Rights Institutions (now the Global Alliance of National Human Rights Institutions) and recommended that Monaco encourage the Office to seek such accreditation.[18] The Committee on Economic, Social and Cultural Rights made a similar recommendation.[19]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[20]

9. The Committee on the Elimination of Discrimination against Women was concerned that Monaco did not have specific anti-discrimination legislation prohibiting direct and indirect discrimination. The Committee indicated that the absence of such legislation might constitute a barrier to women's access to justice in cases of sexual or gender-based discrimination and noted in that regard the nearly non-existent number of judgments issued in such cases and the low number of complaints to the High Commissioner for the Protection of Rights, Liberties and for Mediation. It recommended that Monaco adopt comprehensive anti-discrimination legislation that prohibited discrimination against all women and encompassed direct and indirect discrimination in both the public and private spheres, as well as intersecting forms of discrimination against women, which particularly affected women belonging to minority groups.[21]

10. The Committee noted with concern that legislation on nationality continued to include several provisions that discriminated against women, including the obligation for Monegasque women to fulfil a number of conditions in order to transmit their nationality to their children while Monegasque men could transmit their nationality without fulfilling such conditions. The Committee recommended that Monaco amend its nationality law to ensure that women and men had equal rights with regard to obtaining, keeping and transmitting nationality.[22]

11. The Committee on Economic, Social and Cultural Rights noted with concern that persons who had acquired Monegasque nationality through marriage could not transmit their nationality following a divorce. It recommended that Monaco amend its legislation to make the transmission of nationality possible for all Monegasques, regardless of how they had acquired that nationality.[23] The Committee on the Rights of the Child raised similar concerns.[24]

12. The Committee on the Elimination of Discrimination against Women noted the prohibition of discrimination in the Constitution, as well as in the law on freedom of public expression, which prohibited incitement to hatred and violence against an individual on the ground of sexual orientation. It was concerned, however, about the lack of anti-discrimination legislation protecting women who were lesbian, bisexual, transgender or intersex beyond those laws. It also noted with concern that violence based on sexual orientation or on being transgender or intersex was not considered an aggravating factor in the Criminal Code. It recommended that Monaco provide lesbian, bisexual, transgender and intersex women with the necessary protection from discrimination and violence, and that it adopt specific anti-discrimination legislation and criminal law provisions explicitly recognizing violence based on sexual orientation or on being transgender or intersex as an aggravating factor.[25]

13. The Committee on Economic, Social and Cultural Rights was concerned at the inadequacy of the measures taken by Monaco to ensure full access to culture for persons with disabilities and persons with low incomes. It recommended that Monaco increase its efforts to ensure access to culture for all, particularly for persons with disabilities and those living on low incomes. It also recommended that Monaco take measures to ensure that the entire population enjoyed the benefits of scientific progress and to protect moral and material interests resulting from scientific production.[26]

2. Development, the environment, and business and human rights[27]

14. The Committee on Economic, Social and Cultural Rights recommended that Monaco increase its efforts to meet the international objective of allocating 0.7 per cent of gross national product for official development assistance.[28]

15. The Committee on the Rights of the Child noted that it was possible in Monaco to file criminal complaints against business enterprises that did not ensure child-rights due diligence in their supply chain. However, it was concerned that domestic legislation did not explicitly state the obligations of companies acting under the jurisdiction or control of Monaco to respect the rights of the child in operations carried out outside its territory, and that legislation did not provide for accessible procedural safeguards in the case of such violations. The Committee recommended that Monaco establish and implement regulations to ensure that the business sector complied with international and national human rights, labour, environment and other standards; give special attention to the requirement of enterprises to undertake child-rights due diligence in their chain of suppliers and customers, including outside of the territory of Monaco; and establish effective and accessible procedural safeguards against business enterprises implicated in violations of children's rights.[29]

B. Civil and political rights

1. Right to life, liberty and security of person[30]

16. The Committee against Torture regretted the absence in the Criminal Code of a definition of torture in full conformity with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the lack of a specific provision establishing torture as a separate offence. It also remained concerned that Monegasque legislation did not recognize the crime of torture as not being subject to any statute of limitations or the principle of the invalidity of statements obtained by torture. The Committee reiterated its previous recommendation and requested that Monaco incorporate in its criminal law a definition of torture that covered all the elements contained in article 1 of the Convention.[31] It also requested that Monaco amend its legislation in order to recognize the crime of torture as not being subject to any statute of limitations and to incorporate the principle of the invalidity of statements obtained by torture.[32]

17. The Committee noted that the prison (*Maison d'Arrêt*) of Monaco was equipped to hold a small number of detainees for short periods of time and that it was not a detention centre in the strict sense of the term. While the Committee appreciated the conditions provided for detainees, including medical care, leisure and work opportunities and the

renovations and alterations carried out to improve conditions of detention, it remained concerned about the structural incompatibility of the prison and its facilities with its current use and the fact that a routine medical examination was not given to every individual upon arrival at the prison.[33] It invited Monaco to consider ways of adapting some of the infrastructure within the prison, or even a potential move to new facilities, and to provide for a routine medical examination of any person upon arrival at the prison.[34]

18. The Committee noted that Law No. 1.382 of 20 July 2011 on the prevention and punishment of specific forms of violence did not include specific provisions on redress and compensation for victims of torture or ill-treatment. Despite the fact that the common redress scheme applied to victims of torture, the Committee remained concerned that victims did not have access to a specific mechanism of redress, including such forms of reparation as rehabilitation, satisfaction and non-repetition. It reiterated its previous recommendations and requested that Monaco adopt specific provisions on redress and compensation for victims of torture or ill-treatment.[35]

19. The Committee on the Elimination of Discrimination against Women was concerned that Law No. 1.382 insufficiently addressed how the situation of women victims of violence differed from that of children and persons with disabilities, who were also included in the law, and excluded domestic violence when the couple was not living together or did not live together. It recommended that Monaco amend the law to adequately address the special needs of women victims of gender-based violence and to extend the definition of domestic violence to non-cohabiting couples.[36]

2. Administration of justice, including impunity, and the rule of law[37]

20. The Committee against Torture stated that Monaco should take urgent measures to formally establish by law the need to obtain the explicit consent of a person convicted in Monaco to his or her transfer to a neighbouring country.[38]

21. The same Committee stated that Monaco should continue to develop training programmes to ensure that all officials, including judges, law enforcement officials and other professionals, were familiar with the Convention against Torture. It recommended that Monaco provide specific training to those persons, including health-care professionals, who were in contact with prisoners and asylum seekers, on how to identify signs of torture and ill-treatment.[39]

22. The Committee on the Rights of the Child was concerned that the minimum age of criminal responsibility continued to be 13 years of age, and urged Monaco to consider the possibility of raising it. Additionally, the Committee recommended that Monaco consider repealing the amendment to the Code of Criminal Procedure that allowed children under 13 years of age to be placed in police custody for the needs of investigation.[40] The Committee against Torture made a similar recommendation.[41]

23. The Committee on the Rights of the Child also recommended that Monaco promote alternative measures to the juvenile justice system whenever possible; ensure that detention was used as a measure of last resort and for the shortest possible period of time; and ensure the provision of qualified legal aid to children in conflict with the law at an early stage of the procedures.[42]

3. Fundamental freedoms and the right to participate in public and political life[43]

24. The Human Rights Committee was concerned that publicly offending the royal family continued to be a crime punishable by imprisonment for up to five years, even though in practice punishment had usually been limited to the payment of a fine. It particularly deplored the jailing of an individual for defamation of judicial authorities and the Prince, and noted the disproportionate sentence handed down. The Committee recommended that Monaco review articles 58 to 60 of its Criminal Code on publicly offending the royal family to bring them into line with article 19 of the International Covenant on Civil and Political Rights. The Committee pointed out that all public figures, including those who held office at the highest level, were legitimately exposed to criticism and political dissent, and the laws should not establish harsher penalties solely on the basis of the status of the person being referred to.[44]

25. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Monaco to decriminalize defamation and make it part of the Civil Code in accordance with international standards, and to establish a freedom of information law that was in accordance with international standards.[45]

26. The Committee on Economic, Social and Cultural Rights was concerned about the discriminatory nature of the legislative restrictions on trade unions and trade union federations that stipulated that Monegasque or French nationals had to constitute the majority of trade union officials or of officers in the federal leadership of trade union federations. The Committee urged Monaco to review its legislation to allow access on a non-discriminatory basis to decision-making posts within the leadership of trade unions and the trade union federation.[46]

27. The Human Rights Committee was concerned at the delay in the adoption of legislation to abrogate the provisions on banishment and about the continued existence of that obsolete legislation. The Committee reiterated its recommendation that Monaco repeal its criminal provisions authorizing banishment, which were entirely inconsistent with article 12 of the International Covenant on Civil and Political Rights, and stressed that in no case might an individual be arbitrarily deprived of the right to enter his or her own country.[47]

28. The Committee on the Elimination of Discrimination against Women noted with concern that women continued to be underrepresented in decision-making positions, including on the Council of Government and the National Council. It recommended that Monaco adopt measures, including temporary special measures, in the form of statutory quotas, as well as financial incentives for political parties with an equal number and rank of women on their electoral lists, to ensure the equal representation of women.[48] The Committee on Economic, Social and Cultural Rights raised similar concerns, and recommended that Monaco increase its efforts to ensure that women were better represented in public affairs and politics, particularly within political bodies, including by taking steps to encourage women to run for office.[49]

4. Prohibition of all forms of slavery

29. The same Committee noted with concern that women were trafficked into Monaco for purposes of forced prostitution. It drew attention to target 5.2 of the Sustainable Development Goals, on eliminating all forms of violence against all women and girls, including trafficking and sexual and other types of exploitation, and recommended that Monaco, in cooperation with neighbouring countries, address the root causes of trafficking in women and their exploitation in prostitution by increasing efforts to improve their economic situation. It also recommended that Monaco strengthen measures to protect potential victims from trafficking, including by setting up a free 24/7 hotline and encouraging reporting by victims and witnesses, and providing witness protection programmes and temporary residence permits to victims, irrespective of their ability or willingness to cooperate with the prosecutorial authorities. It further recommended that Monaco, in cooperation with neighbouring countries, allocate specific funds for exit programmes for women who wished to leave prostitution.[50]

5. Right to privacy and family life

30. The Committee on the Elimination of Discrimination against Women noted with concern that women were prohibited from remarrying for 310 days following a divorce. It recommended that Monaco take swift measures to abolish that discriminatory prohibition.[51]

31. The Committee was also concerned that the separate marital property regime of Monaco failed to ensure that property that was acquired by both spouses during marriage was distributed equally between them following the dissolution of the marriage, unless they entered into a specific agreement to the contrary. It reminded Monaco of its obligation to provide, upon divorce or separation, for equality between the parties in the division of all property accumulated during the marriage and recommended that it make the necessary legal amendments to ensure that property acquired jointly during marriage or property over which neither of the spouses could establish their exclusive right of ownership was

regarded as owned by both spouses and was hence divided equally between them upon dissolution of their marriage.[52]

32. The Committee noted that, according to Law No. 595 of 1954, family benefits were mostly paid to the mother. It was concerned, however, about the indication by Monaco that, in the vast majority of cases, men were recognized as the formal head of household, noting that a scheme in which the woman was provided with the means to care for the children and the man was considered the head of the household reinforced traditional patriarchal attitudes. It recommended that Monaco take swift measures to abolish the recognition of men as the head of household by default.[53]

33. The same Committee noted with concern that the economic rights of women in de facto relationships were insufficiently protected. It recommended that Monaco make the necessary legislative amendments to ensure protection of the economic rights of women in de facto relationships.[54]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[55]

34. The Committee on Economic, Social and Cultural Rights was concerned about reports of informal employment in the hotel and catering and construction industries. It was also concerned that the working conditions of persons employed informally were not compatible with the requirements of the International Covenant on Economic, Social and Cultural Rights. The Committee recommended that Monaco step up inspections to ensure that no one was employed informally in its territory, and expedite the introduction of construction workers' licences. It also recommended that Monaco apply its legislation effectively in that regard, make it easier to file complaints and punish employers who did not comply with the law.[56]

35. The Committee on the Elimination of Discrimination against Women recommended that Monaco review its labour legislation with a view to, if necessary, bringing it into compliance with International Labour Organization standards.[57]

36. The same Committee noted the relatively high number of women migrant domestic workers in Monaco, and was concerned that the mechanisms in place to monitor their conditions of work might not be sufficient.[58] It also noted with concern the reportedly precarious working conditions of many foreign women employed in the cleaning sector.[59]

37. The Committee recommended that Monaco amend its legislation to increase the capacities and resources of the labour inspectorate to enable it to monitor the situation of domestic workers more effectively, including their recruitment and working conditions;[60] increase monitoring by the labour inspectorate of the working conditions in the cleaning sector, ensuring that inspections were also conducted in private households;[61] and inform domestic workers of their rights and facilitate complaints in cases of abuse.[62]

38. The Committee on Economic, Social and Cultural Rights was concerned at reports that in some cases the system of priorities established by Monaco in the area of employment resulted in instances of discrimination by employers with regard to the hiring and dismissal of non-nationals. *The Committee recommended that Monaco ensure that the* application of the system of priorities did not lead to abuses or discrimination in the hiring and dismissal of non-nationals and that it take steps to ensure that employees had an opportunity to learn of their rights and to facilitate the presentation of any complaints relating to cases of discrimination in employment.[63]

39. The Committee on the Elimination of Discrimination against Women was concerned at reports that foreign women had been arbitrarily dismissed following their maternity leave based on article 6 of Law No. 729 of 1963, which allowed for dismissals without reason, and recommended that Monaco amend the law to exclude the arbitrary dismissal of foreign women workers following maternity leave.[64]

40. The same Committee noted with concern vertical and horizontal segregation in the labour market and the absence in Law No. 729 of an explicit provision on the principle of

equal pay for work of equal value. It was also concerned about discriminatory regulations with regard to labour by women, including the prohibition of night work in certain professions or the prohibition of work in the production or sale of products that were against "good morals". The Committee recommended that Monaco address occupational segregation, including by adopting measures to eliminate discrimination against women in recruitment and promotion, and adopt the necessary legislative amendments to enforce the principle of equal pay for work of equal value in both the private and public sectors.[65]

2. Right to social security

41. The Committee on Economic, Social and Cultural Rights remained concerned that Monaco would not reduce the requirement of five years of residence for low-income non-Monegasque nationals to be eligible for certain social and medical benefits. It reiterated its recommendation that Monaco should reduce that requirement or put in place a mechanism to allow non-Monegasque nationals who had not yet completed five years of residence and were living on low incomes to be eligible for social benefits.[66]

3. Right to an adequate standard of living[67]

42. The Committee was concerned about difficulties encountered in finding accommodation by certain non-Monegasque nationals who had been working in Monaco for an extended period of time and about the retention of the five-year residence requirement for non-Monegasque nationals to be eligible for housing assistance. The Committee recommended that Monaco continue its efforts to find accommodation for non-Monegasque nationals who had been working in the country for an extended period of time, particularly by relaxing the conditions for access to housing, and that Monaco reduce the five-year residence requirement for access to housing aid for persons on low incomes residing in the country.[68]

4. Right to health[69]

43. The Committee was concerned at reports of the persistence of drug use among young people.[70] The Committee on the Rights of the Child raised similar concerns, and recommended that Monaco strengthen its measures to prevent drug, alcohol and tobacco abuse among adolescents by way of education on life skills, and that it provide rehabilitation, reintegration and recovery programmes specifically designed for child victims of drug and substance abuse.[71]

44. The Committee on the Rights of the Child was also concerned that domestic legislation and practice still did not guarantee free medical assistance to foreign children residing in Monaco for fewer than five years, and recommended that Monaco take all necessary measures to ensure that all children, including non-nationals, enjoyed the same access to and quality of health services.[72]

45. The Committee on the Elimination of Discrimination against Women was concerned that Monaco had not fully decriminalized voluntary termination of pregnancy and that information about access to abortion and post-abortion services, as well as to emergency contraceptives, was limited. It recommended that Monaco legalize abortion in cases of incest and severe fetal impairment and decriminalize it in all other cases.[73] The Human Rights Committee[74] and the Committee on Economic, Social and Cultural Rights[75] raised related concerns.

46. The Committee on Economic, Social and Cultural Rights was concerned that school programmes did not provide adolescents and young people with a full education in the areas of sexual and reproductive health and responsible sexual conduct. It recommended that Monaco provide full, age-appropriate education in the areas of sexual and reproductive health and responsible sexual conduct to male and female adolescents and young people, at all educational levels.[76]

5. Right to education[77]

47. UNESCO drew attention to certain characteristic that pertained to Monaco in particular, noting that the nationals of Monaco constituted a minority within the country.

One effect was that Monegasque children accounted for only some 20 per cent of the entire school population. In response to that situation, the Government had opted for policies aimed at protecting the Monegasque population, in accordance with the "national priority" principle enshrined in article 26 of the Constitution. In terms of access to pre-school education, Monegasque children were therefore given priority, followed by foreign residents according to the places available in teaching establishments. Certain forms of financial assistance also gave preference to Monegasque children, who were the main beneficiaries.[78]

48. UNESCO indicated that Monaco might be encouraged to take appropriate legislative measures to strengthen the right to education of children who were not Monegasque and to consider all possible measures to ensure that foreign children were allowed equal access to education.[79]

49. The Committee on the Elimination of Discrimination against Women was concerned that women continued to be drastically underrepresented in non-traditional fields of study. It recommended that Monaco adopt strategies, as well as targeted measures, to address structural barriers that might deter girls from enrolling in traditionally male-dominated fields of study, such as mathematics, information technology and science.[80]

D. Rights of specific persons or groups

1. Women[81]

50. The Committee noted with concern that measures taken by Monaco regarding the advancement of women's rights were seldom targeted at women alone, but rather frequently focused on the combination "women and the family" or "women and children". Such an approach might insufficiently take into consideration the situation of single women or women without children or the individual rights of women within the family, and furthermore perpetuated a stereotyped image of women as mothers and housewives.[82]

51. The Committee was also concerned that Monaco was not taking specific measures to counter discriminatory stereotypes of women, which remained prevalent in political discourse, the media and among the general public. It noted that professional functional titles of women remained masculine and was concerned that women played only a minor role in sports. The racing competitions were traditionally dominated by men and the Monte-Carlo Masters tournament was for male participants only. Furthermore, women often served as mere decoration in those sporting events, for example as "grid girls" during the Monaco Grand Prix. It recommended that Monaco adopt a comprehensive strategy to eliminate patriarchal attitudes and deep-rooted stereotypes concerning the roles and responsibilities of women and men in the family and in society, including by discouraging all purely "decorative roles" of women at sporting events in order to eliminate objectification of women.[83]

52. The Committee further noted with concern that, according to the Constitution of Monaco, the crown was passed based on male-preference cognatic primogeniture, which was discriminatory not only with regard to the members of the princely family, but also in terms of the high symbolic value of that rule, which assigned a higher value to a man than to a woman. It recommended that Monaco replace male-preference cognatic primogeniture with absolute cognatic primogeniture, with the crown being passed to the firstborn, independent of that person's sex, as had been done by most European monarchies.[84]

53. The Committee on Economic, Social and Cultural Rights was concerned that measures aimed at promoting a sharing of roles and responsibilities by men and women within the family, such as parental leave, were not implemented in practice. It recommended that Monaco take steps to encourage more equitable sharing by men and women of roles and responsibilities within the family, including the expansion of possibilities for parental leave for men.[85]

54. The Committee on the Elimination of Discrimination against Women was concerned about the persistence of gender-based violence against women in Monaco, particularly domestic violence. It noted with concern that there seemed to be an underreporting of

gender-based violence against women, as reflected by the number of complaints, the lenient penalties for perpetrators and insufficient enforcement of restraining and protection orders. It recommended that Monaco ensure effective access for victims to courts and tribunals and adequate responses by the authorities to all cases of gender-based violence against women, including through capacity-building with regard to the strict application of the relevant criminal law provisions; as appropriate, ex officio prosecution to bring alleged perpetrators to trial in a fair, impartial and expeditious manner; and the imposition of adequate penalties.[86] The Committee on Economic, Social and Cultural Rights raised similar concerns.[87]

55. The Committee on the Elimination of Discrimination against Women welcomed the enactment of Law No. 1.382 of 2011, which criminalized marital rape. It was concerned, however, that the definition of rape in the Criminal Code was not based on lack of consent. It recommended amending article 262 of the Criminal Code to ensure that the definition of rape was based on the lack of freely given consent.[88]

2. Children[89]

56. While welcoming the various initiatives undertaken by Monaco to guarantee the rights of the child, the Committee on the Rights of the Child noted with concern the lack of a comprehensive policy on children. It encouraged Monaco to develop and implement a comprehensive policy on children.[90]

57. The Committee noted that the concept of the best interest of the child underpinned the legal framework with respect to children's rights in Monaco, but regretted that domestic legislation contained neither the elements to be taken into account when assessing the child's best interests, nor the procedural safeguards to guarantee its implementation. It recommended that Monaco strengthen its efforts to ensure that the right of the child to have his or her best interests taken as a primary consideration was appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings, and in all policies, programmes and projects relevant to and with an impact on children.[91]

58. The Committee regretted that, despite provisions prohibiting different forms of violence against children in the criminal law, Monaco continued to lack legislation explicitly prohibiting corporal punishment in all settings, including the home, institutions and all alternative care settings, as previously recommended by the Committee. It urged Monaco to introduce provisions expressly prohibiting corporal punishment in all settings, and to strengthen its efforts to promote positive, non-violent and participatory forms of child-rearing and discipline.[92]

59. The Committee also recommended that Monaco prioritize the elimination of violence against children and in particular develop a comprehensive national strategy to prevent and address all forms of violence against children.[93]

60. The Committee was also concerned at reports of cases of sexual abuse and child pornography on the Internet. It recommended that Monaco strengthen the capacity of the police and relevant personnel to receive complaints and investigate cases of sexual exploitation in a child-sensitive manner, including by providing appropriate training, and that it study the extent of the sexual abuse and sexual harassment in the digital media, especially on the Internet, and strengthen its modalities to detect and punish perpetrators.[94]

61. The Committee noted with regret the lack of a child helpline, which could be a critical tool for children to seek assistance and lodge complaints and for the competent authorities to monitor the situation of children and protect them from violations of their rights. It recommended that Monaco establish a toll-free 24-hour helpline available for all children at the national level and promote awareness of how children could access the helpline.[95]

3. Migrants, refugees, asylum seekers and internally displaced persons[96]

62. While noting that the French Office for the Protection of Refugees and Stateless Persons examined cases and issued advisory opinions, the Committee against Torture remained concerned about the lack of clarity regarding the legal grounds for the procedures

that were applicable to asylum seekers, the conduct of such procedures and the safeguards provided. The Committee was also concerned at the uncertainty surrounding the procedure for cooperation between Monaco and the French Office for the Protection of Refugees and Stateless Persons, which consisted merely of an exchange of letters between the authorities of France and Monaco. It further reiterated its concern regarding the lack of a mechanism for following up on the cases of asylum seekers dealt with by the Office. For the purpose of ensuring legal certainty, the Committee recommended that Monaco ensure that the procedures applicable to asylum seekers and the procedure for cooperation with the French Office for the Protection of Refugees and Stateless be made clearer and accessible to all, and urged Monaco to establish a mechanism for following up on the cases of asylum seekers dealt with by the Office.[97]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Monaco will be available at www.ohchr.org/EN/Countries/ENACARegion/Pages/MCIndex.aspx.
[2] For relevant recommendations, see A/HRC/25/12, paras. 89.1–89.9, 89.26, 90.1–90.19 and 91.1–91.4.
[3] See CEDAW/C/MCO/CO/1-3, para. 62.
[4] See CEDAW/C/MCO/CO/1-3, para. 62, E/C.12/MCO/CO/2-3, para. 26, and CRC/C/MCO/CO/2-3, para. 49.
[5] See CEDAW/C/MCO/CO/1-3, para. 32.
[6] Ibid.
[7] See CCPR/C/MCO/CO/3, para. 8.
[8] See E/C.12/MCO/CO/2-3, para. 25.
[9] See CRC/C/MCO/CO/2-3, para. 46.
[10] See CEDAW/C/MCO/CO/1-3, para. 10.
[11] See CCPR/C/MCO/CO/3, para. 7, and CRC/C/MCO/CO/2-3, para. 9.
[12] See E/C.12/MCO/CO/2-3, para. 8.
[13] See CRC/C/MCO/CO/2-3, para. 50.
[14] OHCHR, "Funding", in *OHCHR Report 2017*, pp. 79 and 83; *OHCHR Report 2016*, pp. 78–79, 83 and 87; *OHCHR Report 2015*, pp. 61, 65 and 70; *OHCHR Report 2014*, pp. 63, 67 and 71.
[15] See OHCHR, "UPR Mid-term reports". Available from www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx.
[16] For relevant recommendations, see A/HRC/25/12, paras. 89.10–89.22, 89.26–89.28, 89.40, 90.17 and 91.5.
[17] See CCPR/C/MCO/CO/3, para. 7.
[18] Ibid., para. 9.
[19] See E/C.12/MCO/CO/2-3, para. 9.
[20] For relevant recommendations, see A/HRC/25/12, paras. 89.23, 89.25, 89.29–89.36, 89.46, 91.7–91.8 and 91.11.
[21] See CEDAW/C/MCO/CO/1-3, paras. 13–14.
[22] Ibid., paras. 31–32.
[23] See E/C.12/MCO/CO/2-3, para. 11.
[24] See CRC/C/MCO/CO/2-3, para. 22.
[25] See CEDAW/C/MCO/CO/1-3, paras. 45–46.
[26] See E/C.12/MCO/CO/2-3, para. 24.
[27] For relevant recommendations, see A/HRC/25/12, paras. 89.47–89.50.
[28] See E/C.12/MCO/CO/2-3, para. 10.
[29] See CRC/C/MCO/CO/2-3, paras. 20–21.
[30] For relevant recommendations, see A/HRC/25/12, paras. 89.11 and 89.39–89.40.
[31] See CAT/C/MCO/CO/6, para. 8.
[32] Ibid., para. 9.
[33] Ibid., para. 16.
[34] Ibid., para. 17.
[35] Ibid., paras. 20–21.
[36] See CEDAW/C/MCO/CO/1-3, paras. 25–26.
[37] For relevant recommendations, see A/HRC/25/12, paras. 89.28 89.39–89.40, 89.51 and 91.10.
[38] See CAT/C/MCO/CO/6, para. 19.
[39] Ibid., para. 22.
[40] CRC/C/MCO/CO/2-3, paras. 47–48.
[41] See CAT/C/MCO/CO/6, para. 15.

[42] See CRC/C/MCO/CO/2-3, paras. 47–48.
[43] For relevant recommendations, see A/HRC/25/12, paras. 89.12, 89.41, 91.6 and 91.9.
[44] See CCPR/C/MCO/CO/3, para. 10.
[45] See UNESCO submission for the universal periodic review of Monaco, paras. 16–17.
[46] See E/C.12/MCO/CO/2-3, para. 16. See also CCPR/C/MCO/CO/3, para. 13.
[47] See CCPR/C/MCO/CO/3, para. 11.
[48] See CEDAW/C/MCO/CO/1-3, paras. 29–30.
[49] See E/C.12/MCO/CO/2-3, para. 12.
[50] See CEDAW/C/MCO/CO/1-3, paras. 27–28.
[51] Ibid., paras. 49–50.
[52] Ibid., paras. 47–48.
[53] Ibid., paras. 43–44.
[54] Ibid., paras. 55–56.
[55] For relevant recommendations, see A/HRC/25/12, paras. 89.23, 89.45–89.46 and 91.8.
[56] See E/C.12/MCO/CO/2-3, para. 15.
[57] See CEDAW/C/MCO/CO/1-3, para. 36.
[58] Ibid., paras. 39–40. See also E/C.12/MCO/CO/2-3, para. 14.
[59] See CEDAW/C/MCO/CO/1-3, para. 35.
[60] Ibid., para. 40. See also E/C.12/MCO/CO/2-3, para. 14.
[61] See CEDAW/C/MCO/CO/1-3, para. 36.
[62] Ibid., para. 40. See also E/C.12/MCO/CO/2-3, para. 14.
[63] See E/C.12/MCO/CO/2-3, para. 13.
[64] See CEDAW/C/MCO/CO/1-3, paras. 35–36.
[65] Ibid.
[66] See E/C.12/MCO/CO/2-3, para. 17.
[67] For the relevant recommendation, see A/HRC/25/12, para. 89.42.
[68] See E/C.12/MCO/CO/2-3, para. 19.
[69] For relevant recommendations, see A/HRC/25/12, paras. 89.43–89.44.
[70] See E/C.12/MCO/CO/2-3, para. 22.
[71] See CRC/C/MCO/CO/2-3, paras. 41–42.
[72] Ibid., paras. 37–38.
[73] See CEDAW/C/MCO/CO/1-3, paras. 41–42.
[74] See CCPR/C/MCO/CO/3, para. 12.
[75] See E/C.12/MCO/CO/2-3, para. 21.
[76] Ibid., para. 20. See also CEDAW/C/MCO/CO/1-3, paras. 33–34.
[77] For the relevant recommendation, see A/HRC/25/12, para. 89.49.
[78] See UNESCO submission, paras. 9–10.
[79] Ibid., paras. 11–12.
[80] See CEDAW/C/MCO/CO/1-3, paras. 33–34.
[81] For relevant recommendations, see A/HRC/25/12, paras. 89.23, 89.37–89.38.
[82] See CEDAW/C/MCO/CO/1-3, para. 19.
[83] Ibid., paras. 23–24.
[84] Ibid., paras. 15–16.
[85] See E/C.12/MCO/CO/2-3, para. 12.
[86] See CEDAW/C/MCO/CO/1-3, paras. 25–26.
[87] See E/C.12/MCO/CO/2-3, para. 18.
[88] See CEDAW/C/MCO/CO/1-3, paras. 25–26.
[89] For relevant recommendations, see A/HRC/25/12, paras. 89.43 and 89.49.
[90] See CRC/C/MCO/CO/2-3, paras. 10–11.
[91] Ibid., paras. 24–25.
[92] Ibid., paras. 28–29.
[93] Ibid., para. 34.
[94] Ibid., paras. 32–33.
[95] Ibid., paras. 35–36.
[96] For relevant recommendations, see A/HRC/25/12, paras. 89.32, 89.45–89.46, 91.9 and 91.11.
[97] See CAT/C/MCO/CO/6, paras. 12–13.